

ASSEMBLY BILL

No. 484

Introduced by Assembly Member Nava

February 20, 2007

An act to add Section 42704 to the Public Resources Code, relating to recycling.

LEGISLATIVE COUNSEL'S DIGEST

AB 484, as introduced, Nava. Recycling: highway construction and repair: recycled aggregate base.

Existing law requires the State Procurement Officer, in purchasing any materials to be used in paving or paving subbase for use by the Department of Transportation and any other state agency that provides construction and repair services, to contract for construction items that utilize recycled materials, unless the Director of Transportation determines that the use of the materials is not cost effective based on specified factors. The department is also directed to require the use of crumb rubber at a specified percentage, per metric ton, of the total amount of asphalt paving materials used for state highway construction or repair projects that use asphalt as a construction material.

This bill would require the department, unless it determines that the use of the materials is not cost effective, to use recycled aggregate base, as defined, for at least 50% of the total amount of aggregate base used on and after January 1, 2008, and for at least 75% of the total amount of aggregate base used on and after January 1, 2009. The Secretary of the Business, Transportation and Housing Agency, would be required, on or before January 2009, to prepare a specified analysis comparing the cost differential, on a regional and a statewide basis, between recycled aggregate base and virgin aggregate base. The secretary would

be required to continue to prepare that analysis annually until the secretary determines that the cost of recycled aggregate base does not exceed 10% of the cost of virgin aggregate base.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature that the
2 Department of Transportation explore all feasible means to
3 stimulate increased usage of recycled aggregate base throughout
4 the 12 regional districts.

5 SEC. 2. Section 42704 is added to the Public Resources Code,
6 to read:

7 42704. (a) For purposes of this section, the following
8 definitions apply:

9 (1) "Department" means the Department of Transportation.

10 (2) "Director" means the Director of Transportation.

11 (3) "Recycled aggregate base" means recycled asphalt and
12 concrete used under paving materials in the construction of streets,
13 highways, freeways, and building sites, and includes crushed
14 miscellaneous base, as defined in the Standard Specifications for
15 Public Works Construction, and reduced Class 2 aggregate base,
16 as defined by the department.

17 (4) "Secretary" means the Secretary of the Business,
18 Transportation and Housing Agency.

19 (b) Unless the director determines that the use of the materials
20 is not cost effective, the department shall annually phase in the
21 use of recycled aggregate base. The department shall require the
22 use of recycled aggregate base in lieu of virgin aggregate base at
23 the following levels for state highway construction or repair
24 projects that use asphalt as a construction material:

25 (1) On and after January 1, 2008, not less than 50 percent, by
26 ton, of the total aggregate base used shall be recycled aggregate
27 base.

28 (2) On and after January 1, 2009, not less than 75 percent, by
29 ton, of the total aggregate base used shall be recycled aggregate
30 base.

31 (c) (1) The secretary shall, on or before January 1, 2009, and
32 annually thereafter, prepare an analysis comparing the cost

1 differential, on a regional and on a statewide basis, between
2 recycled aggregate base and virgin aggregate base. The analysis
3 shall include, at a minimum, all of the following:

4 (A) The lifespan and duration of the recycled aggregate base.

5 (B) The maintenance cost of the recycled aggregate base.

6 (C) The quantity of recycled aggregate base needed per mile
7 paved.

8 (2) The secretary shall continue to prepare annually the analysis
9 required by paragraph (1) until the secretary determines that the
10 cost of recycled aggregate base does not exceed 10 percent of the
11 cost of virgin aggregate base.

12 (d) The department shall set standardized specifications for
13 recycled aggregate base that shall be used statewide. The guidelines
14 of the American Society of Testing Materials shall be used as the
15 controlling test guidelines statewide for recycled aggregate base.